



County of Los Angeles **CHIEF ADMINISTRATIVE OFFICE**

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DAVID E. JANSSEN
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Fifth District

October 13, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

**MOTION TO ADOPT A RESOLUTION TO MAKE THE PROVISIONS OF AB 2366
OPERATIVE IN LOS ANGELES COUNTY TO ALLOW PUBLIC SAFETY EMPLOYEES
REQUIRED TO RETIRE BECAUSE OF AGE TO BE REEMPLOYED BY THE
COUNTY (ITEM NO. 12, AGENDA OF OCTOBER 17, 2006)**

Item No. 12 on the October 17, 2006 Agenda is a motion by Supervisor Antonovich to adopt a resolution to make Section 31680.8 of the Government Code, added by AB 2366 (Runner), Chapter 120 of the statutes of 2006, operative in Los Angeles County; and to request the Sheriff, Fire and any other affected County Department, to report back to the Board of Supervisors on the policy and procedures for implementation of this section in two weeks.

Under current law, public safety employees hired prior to March 31, 1997 must retire at age 60. Those hired after that date are not subject to this requirement. Upon adoption of a resolution by the Board of Supervisors, AB 2366 allows public safety employees who were required to retire because of age to be reemployed by the County and reinstated into active membership in the retirement system. The employee must file an application with the Board of Retirement for reinstatement and the Board of Retirement, based on medical advice, must determine that the member is not incapacitated for the duties of the assigned position. AB 2366 was recently signed by the Governor and becomes effective on January 1, 2007. It should be noted that AB 2863 (Karnette), which was signed into law after the enactment of AB 2366, limits the application of AB 2366 by removing firefighters and lifeguards from its provisions.

Sheriff's Department staff indicate that AB 2366 was sponsored by the Sheriff in order to help address the need to hire approximately 1,000 Deputies in Los Angeles County. Allowing those Deputies who are turning 60 to remain employed by the County would help accomplish the goal of full staffing. Many deputies who are approaching 60 years of age have special abilities or training in subject areas such as arson, explosives, or homicide, which are beneficial to the Department and would otherwise be lost to retirement. Sheriff's staff also note that for safety employees hired after March 31, 1997, there is no mandatory retirement at age 60 and adoption of this resolution will provide for equity for all safety employees in the Department regardless of employment date.

DEJ:GK
MAL:MS:mb

c: Executive Officer, Board of Supervisors
County Counsel
Sheriff Department